



Docket No. J&J 2084

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : FANNING, et. al.

Serial No. : 10/035,098

Art Unit:

Filed : December 28, 2001

Examiner:

For : DOUBLE-STRANDED RNA-MEDIATED GENE SUPPRESSION

I hereby certify that this correspondence is being deposited with the
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April 4, 2002

(Date of Deposit)

Myra H. McCormack

(Name of applicant, assignee, or Registered Representative)

Myra H. McCormack

(Signature)

April 4, 2002

(Date of Signature)

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached);
or

☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached);
or
☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.


☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/J&J2084/MHM. This form is submitted in triplicate.

Respectfully submitted,


Myra H. McCormack
Reg. No. 36,602
Attorney for Applicants

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DATED: April 4, 2002

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/035,098
Filing Date	12/28/2001
First Named Inventor	Fanning, et. al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J 2084

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
	1	US5176995		Sninsky et. al.	01-05-1993	
	2	US4965188		Mullis et. al.	10-23-1990	
	3	US5582988		Backus et. al.	12-10-1996	
	4	US4683195		Mullis et. al.	07-28-1987	
	5	US4683202		Mullis et. al.	07-28-1987	
	6	US4000159		Scoggins et. al.	12-28-1976	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
	7	WO	9429481	A1	Nathan, Asher	12-22-1994		

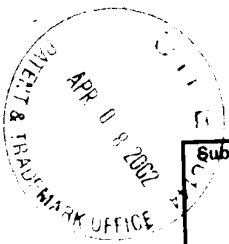
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. ⁶ If possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

Application Number	10/035,098
Filing Date	December 28, 2001
First Named Inventor	Fanning, et. al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J 2084

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	8	BOSHER, J.M., et. al., "RNA interference: genetic wand and genetic watchdog," Nature Cell Biology 2000 2: E31-E36	
	9	BUNNELL, B.A., et. al., "A dominant negative mutation created by ectopic expression of an AU-rich 3' untranslated region," Somatic Cell Mol. Genet. 1990 16:151-162.	
	10	CAPLEN, N.J., et. al., "DsrRNA-mediated gene silencing in cultured Drosophila cells: a tissue culture model for the analysis of RNA interference". Gene 2000 252:95-105.	
	11	CHEHAB, F.F. et al., "Detection of sickle cell anaemia and thalassaemias," Nature 1987 329:293-294	
	12	CLEMENS, M.J., "PKR- a protein kinase regulated by double-stranded RNA," Int. J. Biochem. Cell. Biol. 1997 29:945-949	
	13	CUENOUD, B. et. al., "A DNA metalloenzyme with DNA ligase activity," Nature 1995 375:611-614.	
	14	ECKNER, R. et. al. Ellmeier, W. and Birnstiel, M.L. Mature mRNA 3' end formation stimulates RNA export from the nucleus. EMBO 1991 10(11):3513-3522.	
	15	FAHY, E., et al. "Self-sustained Sequence Replication (3SR): An Isothermal Transcription-based Amplification System alternative to PCR," PCR Methods 1991 Appl 1:25-33.	
	16	FIELDS, S., "The Future is Function," The future is function. Nature Genet. 1997 15:325-327.	
	17	FIRE, A., et. al., "Potent and specific interference by double-stranded RNA in Caenorhabditis elegans," 1998 Nature 391:806-811.	
	18	Herskowitz, I., "Functional inactivation of genes by dominant negative mutations," Nature 1987 329:219-222.	
	19	JONAS, V., et al., "Detection and Identification of Mycobacterium tuberculosis directly from sputum sediments by amplification of rRNA," Journal of Clinical Microbiology 1993 31:2410-2416.	
	20	KRAMVIS, A., et al. "Comparison of Hepatitis B Virus DNA Extractions from serum by the QIAamp Blood Kit, GeneReleaser, and the Phenol-Chloroform Method, Journal of Clinical Microbiology 1996 34:2731-2733	
	21	LIU, Y. S., et al. "Single-step direct PCR amplification from solid tissues," Nucleic Acids Research 1995 23:1640.	
	22	LIU, Z., et. al., "Targeted nuclear antisense RNA mimics natural antisense-induced degradation of polyoma virus early RNA," Proc. Natl. Acad. Sci. USA 1994 91:4258-4262.	
	23	MARCUS, P.I., "Interferon Induction by Viruses: One Molecule of dsRNA as the Threshold for Interferon Induction," Interferon 1983 5:115-180	
	24	NO, D., et. al., "Ecdysone-inducible gene expression in mammalian cells and transgenic mice," Proc. Natl. Acad. Sci. USA 1996 93:3346-3351.	

Examiner Signature	Date Considered
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Attorney Docket Number	J&J 2084

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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